IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1445 OF 2004
IN
SECOND APPEAL St. NO.37931 OF 2002

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

CORAM : P.V.KAKADE,J.

DATE : 1ST OCTOBER, 2004

P.C.:

1. Heard the learned counsel for the applicant.

2. This is an application for removal of office objections which were raised for non joining of respondent No.4 and 5 be dispensed with.

3. Perused the lower appellate court judgement, which makes it clear that respondent nos.4 and 5

had consented the suit at the lower court stage and hence they were not made party in the lower appellate court. In view of this position, it is not necessary that they should be joined as respondents in the Second Appeal.

4. In view of this aspect the application is made absolute in terms of prayer clause (a) and stands disposed of.